



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

Ref: 8ENF-L

October 7, 2009

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Bonnie A. Barnett  
Drinkler Biddle & Reath  
One Logan Square  
18<sup>th</sup> and Cherry Streets  
Philadelphia, PA 19103-6996

RE: Gilt Edge Mine Site, Lawrence County, South Dakota  
Request for Information, Continental Insurance Company  
Confidential Business Information Claim

Dear Ms. Barnett:

The United States Environmental Protection Agency (EPA) has authorized Eisenstein-Malanchuk, LLP, under Contract No. EP-W-07-079 (Contract), to review information submitted to EPA under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. §9601 *et seq.*, by potentially responsible parties, insurance companies and/or insurance brokers. Some of this information may have been claimed or determined to be confidential business information (CBI) in accordance with Title 40 of the Code of Federal Regulations (CFR) Part 2. Under the Contract, Eisenstein-Malanchuk will provide advice to EPA in connection with insurance issues arising in Superfund cases.

Pursuant to EPA regulations at 40 CFR Part 2, Subpart B, EPA has determined that Eisenstein-Malanchuk requires access to insurance related documents claimed as CBI by you in your September 17, 2009, response to an EPA request for information in connection with the referenced site. These regulations provide for notice to the party claiming confidentiality and a reasonable time (not less than 5 days) for the party to submit comments before EPA contractors are given access to these documents. This letter serves as that notice and starts the five (5) day comment period. If this time frame is not adequate, please call me as soon as possible.

The Eisenstein-Malanchuk team is required by contract to protect confidential information, and EPA has evaluated and approved Eisenstein-Malanchuk security measures.

When Eisenstein-Malanchuk has completed its review of the documents, Eisenstein-Malanchuk will return the documents to EPA upon request.

If you have any questions, please contact me at (303) 312-6904.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrea Madigan", with a long horizontal flourish extending to the right.

Andrea Madigan  
Enforcement Attorney



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OCT 07 2009  
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